

SHERYL D. EISENBERG
(617) 348-4384
SEisenberg@swmlawyers.com

November 9, 2006

BY ELECTRONIC FILING
AND COURTESY COPY BY HAND

Paul Lyness
Clerk's Office, Civil
United States District Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02110

Re: Pizzuto v. Airborne Express, et al.
Civil Action No. 04-12492GAO

Dear Mr. Lyness:

In order to avoid the time and expense of litigation, the parties to the above-referenced matter have agreed to attempt to resolve their differences through mediation. Accordingly, the parties respectfully request that a Magistrate Judge be selected and assigned to the case to act as mediator. Thank you for your attention to this matter.

PAUL PIZZUTO,

AIRBORNE EXPRESS, INC.,
STEVEN CROSSKEN, JOSEPH
HAMILTON, GREG SWEATT,
AND ARTHUR LEVERIS,

By his attorney,

By their attorneys,

/s/ Richard A. Mulhearn
Richard A. Mulhearn BBO# 359680
Law Office of Richard A. Mulhearn, P.C.
41 Elm Street
Worcester, Massachusetts 01609
(508) 753-9999

/s/ Sheryl D. Eisenberg
C. Max Perlman BBO# 630395
Sheryl D. Eisenberg BBO# 641304
Sullivan, Weinstein & McQuay, P.C.
Two Park Plaza
Boston, MA 02116-3902
(617) 348-4300